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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/072,055	02/05/2002	Rajesh Bhalla	062891.0659	1173
5073	7590	12/14/2005	EXAMINER	
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			SHAND, ROBERTA A	
			ART UNIT	PAPER NUMBER
			2665	

DATE MAILED: 12/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/072,055

Applicant(s)

BHALLA ET AL.

Examiner

Roberta A. Shand

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-14, 16-22, 24-31, 33-38, 40 and 41 is/are rejected.
- 7) ☒ Claim(s) 8, 15, 23, 32 and 39 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>2/28/05, 8/8/03</u> | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-5, 9-12, 16-20, 25, 33-36, 40 and 41 are rejected under 35

U.S.C. 102(e) as being anticipated by Madour (U.S. 2002/0114293 A1).

3. Regarding claim 1, Madour teaches (abstract and fig. 2) a method of optimizing point-to-point sessions, comprising: receiving a registration request from a mobile node (paragraph 11), the mobile node communicating with current packet controller function serviced packet data serving node (paragraph 21); determining whether registration request comprises previous access network identifier identifying a previous packet controller function (paragraph 11); determining whether the mobile node is serviced by a mobile Internet Protocol (paragraph 11); determining whether the mobile node communicated with previous packet controller function serviced by the packet data serving node (paragraph 22); and deciding whether negotiate a point-to-point session for mobile node response to the determinations (paragraphs 41-49).

4. Regarding claims 2, 10 and 17, Madour teaches (paragraph 21) the registration request comprises a request for service at the packet data serving node.

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5. Regarding claims 3, 11, 18 and 34, Madour teaches (paragraphs 41-49) deciding whether to negotiate the point-to-point session if the mobile node comprises: negotiating the point-to-point session if the mobile node did not communicate with previous packet controller function serviced the packet data serving node; and updating the point-to-point session if the mobile node communicated with a previous packet controller function serviced by the packet data serving node.
6. Regarding claims 4, 12, 19 and 35, Madour teaches (paragraphs 41-49) determining whether there is a session context for the mobile node; negotiating point-to-point session there no session context; and updating point-to-point session if there is session context.
7. Regarding claims 5, 20 and 36, Madour teaches (paragraph 22) determining registration request comprises the previous access network identifier; identifying the previous packet controller function from the previous access network identifier; determining whether the previous packet controller function is serviced by the packet data serving node; negotiating the point-to-point session if the previous packet controller function not serviced by the packet data serving node; and updating the point-to-point session the previous packet controller function is serviced by the packet data serving node (paragraph 23).
8. Regarding claim 9, Madour teaches (abstract and fig. 2) a method of optimizing point-to-point sessions comprising: receiving a registration request from a mobile node

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(paragraph 11), the mobile node communicating with current packet controller function serviced by a packet data serving node (paragraph 21); determining whether the mobile node serviced by a mobile Internet Protocol (paragraph 11); determining whether the mobile node communicated with a previous packet controller function serviced the packet data serving node (paragraph 22); and deciding whether to negotiate a point-to-point session for the mobile node response to the determinations (paragraphs 41-49).

9. Regarding claim 16, Madour teaches (abstract and fig. 2) a system for optimizing point-to-point sessions comprising: at least one packet data serving node operable to: receive registration request from a mobile node (paragraph 11), the mobile node communicating with current packet controller function serviced by the packet data serving node (paragraph 21); determine whether the registration request comprises a previous access network identifier identifying a previous packet controller function; determine whether the mobile node is serviced by a mobile Internet Protocol (paragraph 11); determine whether the mobile node communicated with a previous packet controller function serviced by the packet data serving node (paragraph 22); and decide whether to negotiate point-to-point session for the mobile node response to determinations; and plurality packet controller functions communicating with the at least one packet data serving node (paragraph 41-49).

10. Regarding claim 25, Madour teaches (fig. 2) the least one packet data serving node is further operable to establish a tunnel connection to communicate between the at least one packet controller function and the at least one packet data serving node.

11. Regarding claim 33, Madour teaches (abstract and fig. 2) Logic for optimization of point-to-point sessions, the logic embodied a computer-readable medium and operable receive a registration request from a mobile node (paragraph 11); determine whether the registration request comprises previous access network identifier identifying previous packet controller function (paragraph 21); determine whether the mobile node is serviced by mobile Internet Protocol (paragraph 11); determine whether the mobile node communicated with a previous packet controller function serviced by the packet data serving node (paragraphs 21-22); and decide whether to negotiate point-to-point session for the mobile node in response to the determinations (paragraphs 41-49).

12. Regarding claim 40, Madour teaches (abstract and fig. 2) a system optimizing point-to-point sessions comprising: means for receiving a registration request from mobile node (paragraph 11), the mobile node communicating with a current packet controller function serviced by packet data serving node (paragraph 21); means for determining whether the registration request comprises previous access network identifier identifying a previous packet controller function (paragraph 21); means for determining whether the mobile node serviced by a mobile Internet Protocol (paragraph 11); a means for determining whether the mobile node communicated with previous packet controller function serviced by the packet data serving node (paragraph 22); and means for deciding whether to negotiate a point- to-point session for the mobile node in response the determinations (paragraphs 41-49).

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13. Regarding claim 41, Madour teaches (abstract and fig. 2) receiving registration request from a mobile node (paragraph 11), the registration request comprising a request for service; determining whether the registration request comprises previous access network identifier identifying a previous packet controller function (paragraph 21); determining whether the mobile node serviced by mobile Internet Protocol (paragraph 11); determining whether the mobile node communicated with a previous packet controller function serviced by the packet data serving node (paragraph 22); and deciding whether to negotiate a point-to-point session for the mobile node in response the determinations by: negotiating the point-to-point session if the mobile node did not communicate through the previous packet controller function serviced by packet data serving node; and updating point-to-point session mobile node did communicate through the previous packet controller function serviced by the packet data serving node (paragraphs 41-49)

Claim Rejections - 35 USC § 103

14. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

15. Claims 6, 7, 13, 14, 21, 22, 26-31, 37 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Madour in view of Bertrand (U.S. 6876640 B1).

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16. Regarding claims 6, 13, 21, 31 and 37, Madour does not explicitly teach generating table comprising an entry associated with the mobile node, the entry comprising a mobile node identifier, previous access network identifier, current access network identifier.

17. Bertrand teaches (col. 6, lines 43-64) generating table comprising an entry associated with the mobile node, the entry comprising a mobile node identifier, previous access network identifier, current access network identifier. It would have been obvious to one of ordinary skill in the art to adapt this to Madours system to keep track of the mobile station.

18. Regarding claim 7, 14, 22 and 38, Bertrand teaches (col. 8, 11-34) updating tunnel connection operable to communicate plurality of data packets between the current packet controller function and the packet data serving node by updating the entry associated with the mobile node.

19. Regarding claim 26, Madour teaches (abstract and fig. 2) a processor coupled to the memory and operable to: receive registration request from the mobile node (paragraph 11); determine whether the registration request comprises previous access network identifier identifying a previous packet controller function (paragraph 21); determine whether the mobile node is serviced by a mobile Internet Protocol (paragraph 11); determine whether the mobile node communicated with previous packet controller function serviced by the packet data serving node (paragraph 22); and decide whether

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negotiate a point-to-point session the mobile node response the determinations (cols. 41-49).

20. Madour does not teach a memory operable to store table, table comprising an entry corresponding to mobile node, the entry comprising: a mobile station identifier field operable to store a mobile station identifier; and previous access network identifier field operable to store a previous access network identifier.

21. Bertrand teaches (col. 6, lines 43-64) a memory operable to store table, table comprising an entry corresponding to mobile node, the entry comprising: a mobile station identifier field operable to store a mobile station identifier; and previous access network identifier field operable to store a previous access network identifier. It would have been obvious to one of ordinary skill in the art to adapt this to Madours system to keep track of the mobile station.

22. Regarding claim 27, Madour teaches (paragraph 21) the registration request comprises a request for service at the packet data serving node.

23. Regarding claim 28, Madour teaches (paragraphs 41-49) deciding whether to negotiate the point-to-point session f or the mobile node comprises: negotiating the point-to-point session if the mobile node did not communicate with previous packet controller function serviced the packet data serving node; and updating the point-to-point session if the mobile node communicated with a previous packet controller f unction serviced by the packet data serving node.

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24. Regarding claim 29, Madour teaches (paragraphs 41-49) determining whether there is a session context for the mobile node; negotiating point-to-point session there no session context; and updating point-to-point session if there is session context.

25. Regarding claim 30, Madour teaches (paragraph 22) determining registration request comprises the previous access network identifier; identifying the previous packet controller function from the previous access network identifier; determining whether the previous packet controller function is serviced by the packet data serving node; negotiating the point-to-point session if the previous packet controller function not serviced by the packet data serving node; and updating the point-to-point session the previous packet controller function is serviced by the packet data serving node (paragraph 23).

26. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Madour in view of Madour (U.S. 6834050 B1).

27. Regarding claim 24, Madour ('293) does not teach at least one of the packet controller functions is operable to: communicate with the at least one packet data serving node; and store an access network identifier identifying the at least one packet controller function.

28. Madour ('050) teaches (col. 3, lines 15-27) at least one of the packet controller functions is operable to: communicate with the at least one packet data serving node; and

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store an access network identifier identifying the at least one packet controller function.

It would have been obvious to one of ordinary skill in the art to adapt this to Madour's system to maintain order within the system.

Allowable Subject Matter

29. Claims 8, 15, 23, 32 and 39 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

30. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roberta A Shand whose telephone number is 571-272-3161. The examiner can normally be reached on M-F 9:00am-5:30pm.

31. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

32. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Roberta A Shand
Examiner
Art Unit 2665



STEVEN NGUYEN
PRIMARY EXAMINER